

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHANELL K DUNCAN,

Plaintiff,

v.

ALVIN R ALLEN, et al.,

Defendant.

CASE NO. 3:23-cv-5285 MJP-DWC

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) The Court concludes Plaintiff has sufficiently stated a Fourteenth Amendment excessive force claim and a Fourteenth Amendment deliberate indifference to medical need claim. However, Plaintiff fails to state a claim against Defendants Slothower, Jackson, Troyer, Woodley and Pierce County. Accordingly, the Court recommends the Motion to Dismiss be granted-in-part and denied-in-part.

(3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel

1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated January 9, 2024.

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4 Marsha J. Pechman
5 United States Senior District Judge
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